

REMARKS

Claims 13, 14 and 19 have been amended without any intention of narrowing the scope of any of the claims. Claims 1-20 are pending. Reconsideration in view of the following remarks is respectfully requested.

Applicant has amended claims 13 and 19 to confirm that the claims specify that one or more of the items listed may be selected, rather than one or more of each of the items listed must be selected. Claim 14 has had conforming amendments made.

Claims 1-7 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is respectfully traversed.

The Office Action asserts that “mean operating temperature” is unclear because “...the component as claimed can be operated at different mean operating temperature [sic] depending on how the component is operated.” Indeed, the component may be operated at different mean operating temperatures depending on how the component is to be operated, but Applicant submits that “mean operating temperature” is not therefore unclear.

For example, claim 1 specifies that at whatever mean operating temperature the component is to be operated, the component is manufactured at a temperature, wherein the zero-crossing temperature is between that temperature and the mean operating temperature. A person skilled in the art will appreciate that a component is designed to operate at a specific mean operating temperature or a range of mean operating temperatures and accordingly, the component here is manufactured at a temperature such that the zero-crossing temperature is between that temperature and the specific or range of mean operating temperatures. Applicant submits a person skilled in the art would know the scope of this claim since that person will know each of the relevant temperatures - the temperature at which the component is manufactured, the zero-crossing temperature and the mean operating temperature of the component at which the component is to be operated (i.e., a temperature higher than the zero-crossing temperature).

Further, the Office Action further states that Applicant argued that “the component is a component of a lithographic apparatus” and then asserts that claim 1 is not directed to a lithographic apparatus. Applicant agrees that claim 1 is not limited to a lithographic apparatus or a component thereof. Applicant’s statement was not intended as limiting of claim 1.

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Rather, it was merely a statement of what is disclosed in the present application. Further, then rejected claim 8 is directed to a component for use in a lithographic apparatus.

Reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. §112 are respectfully requested.

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type of double patenting over claims 1-14 of U.S. Patent No. 6,747,730. Without agreeing or acceding to the propriety or the merits of the rejection and while preserving the right to distinguish over the cited reference, Applicant has submitted a Terminal Disclaimer herewith and, accordingly, respectfully requests that the rejection under the judicially created doctrine of obviousness-type of double patenting be withdrawn.

In view of the above, Applicant respectfully submits that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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